

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**KEVIN L. STOWERS,**

Petitioner,  
v.

Civil Action No. **3:19CV306**

**M. BOLSTER,**

Respondent.

**MEMORANDUM OPINION**

Kevin L. Stowers, a federal inmate proceeding *pro se*, filed this petition pursuant to 28 U.S.C. § 2241 requesting an additional “7 days good time credit” pursuant to the First Step Act of 2018. (ECF No. 3.) On December 19, 2019, the Magistrate Judge issued a Report and Recommendation wherein he recommended dismissing the § 2241 Petition without prejudice because (1) Stowers did not exhaust his administrative remedies prior to filing the § 2241 Petition; and, (2) the record showed that Stowers received additional good time credit when the applicable provision of the First Step Act took effect on July 19, 2019. (ECF No. 10.) The Magistrate Judge advised Stowers that he could file objections within fourteen (14) days after the entry of the Report and Recommendation. Stowers has not responded and the time to do so has expired.

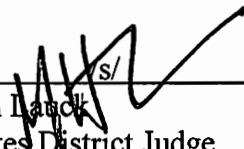
“The magistrate [judge] makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court.” *Estrada v. Witkowski*, 816 F. Supp. 408, 410 (D.S.C. 1993) (citing *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976)). This Court “shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1). “The filing of objections to a magistrate

[judge's] report enables the district judge to focus attention on those issues—factual and legal—that are at the heart of the parties' dispute.” *Thomas v. Arn*, 474 U.S. 140, 147 (1985) (footnote omitted). In the absence of a specific written objection, this Court may adopt a magistrate judge's recommendation without conducting a *de novo* review. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 316 (4th Cir. 2005).

There being no objections, and the Court having determined that the Report and Recommendation is correct on its merits, the Report and Recommendation (ECF No. 10) will be ACCEPTED and ADOPTED. Respondent's Motion to Dismiss will be GRANTED. (ECF No. 6.) The Court will dismiss without prejudice Stowers' § 2241 Petition. (ECF No. 3.) Stowers' claims and the action will be DISMISSED.

An appropriate Order will accompany this Memorandum Opinion.

Date: January 9, 2020  
Richmond, Virginia

  
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M. Hannah Hancock  
United States District Judge